

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

GREGORY L. HUGHES,

Plaintiff

v.

THOMAS DERFLER, et al.,

Defendants

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CIVIL NO. 3:CV-04-1010

(Judge Kosik)

**ORDER**

**THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:**

\_\_\_\_\_ Plaintiff Gregory L. Hughes originally filed this civil rights action pursuant to 42 U.S.C. § 1983 in the United States District Court for the Eastern District of Pennsylvania on December 6, 2001. The Eastern District Court permitted Plaintiff to file a second amended complaint in an Order issued on November 22, 2002. There appear to be seven (7) defendants named in the amended complaint - three (3) employees at the State Correctional Institution at Graterford, one (1) employee at the State Correctional Institution at Mahanoy, two (2) State Correctional Institution at Frackville employees and the former Chief Grievance Coordinator for the Pennsylvania Department of Corrections. The gist of the amended complaint centers around First, Eighth and Fourteenth Amendment violations relating to Plaintiff's alleged deprivation of access to his legal and religious property while confined by the DOC. He also appears to set forth a retaliation claim.

Litigation proceeded in this matter in the Eastern District Court until May 7, 2004, when the matter was transferred to this court. The docket, as received, appeared to be missing several documents and was confusing with respect to what had actually transpired procedurally while the

matter was pending in the Eastern District Court. In an effort to clarify the record, this court issued an Order on July 27, 2004, requiring the parties to submit status reports identifying the following matters: (1) which documents constitute the standing amended complaint; (2) the names and titles of each defendant; (3) what claims are pending before the court and (4) all outstanding motions in this action. (Doc. 7.) Defendants filed their status report on August 9, 2004. Following enlargements of time, Plaintiff submitted his report on April 22, 2005. This is the last contact the court has had with Plaintiff in this matter. According to the docket, he submitted a change of address on January 18, 2005, wherein it appears he has been released from prison and now resides in Ingram, Pennsylvania.

Because there has been no activity in this case in over a year, and it appears that Plaintiff is no longer in prison, it is possible that Plaintiff may have lost interest in litigating this matter any further. As such, before taking any additional action, Plaintiff will be directed to notify this court within ten (10) days as to whether he wishes to continue with this action. His failure to provide such notification to the court will result in the dismissal of this action.

**ACCORDINGLY, THIS 30<sup>th</sup> DAY OF OCTOBER, 2006, IT IS HEREBY ORDERED**  
**THAT** within ten (10) days from the date of this Order, Plaintiff shall notify the court as to whether he wishes to continue litigating this action.

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s/Edwin M. Kosik  
United States District Judge